



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: NFA-0205
(PATENT)

2005 OCT -5

US PATENT & TRADEMARK
OFFICEIn re Patent Application of:
Tadao Nakaya et al.

Application No.: 10/501,398

Confirmation No.: 2779

Filed: July 15, 2004

Art Unit: 1624

For: NILE RED LUMINESCENT COMPOUND EMITTING
RED LIGHT, PROCESS FOR PRODUCING THE
SAME AND LUMINESCENCE ELEMENT UTILIZING
THE SAME

Examiner: K. Habte

REQUEST FOR REFUNDMAIL STOP 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicants, through his attorneys, hereby request a refund of a USPTO charge on July 27, 2005, as shown on the statement dated July 29, 2005, in connection with the above-identified patent application. A copy of the statement is enclosed. Applicants filed Information Disclosure Statement on July 18, 2005. Applicants believe no government fee for the IDS to be charged. In accordance with 37 C.F. R. §1.97(e)(1), no fee is required for the reason that each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS. Therefore, please refund the overcharge of \$180.00 to our Deposit Account 18-0013.

Dated: October 4, 2005

Respectfully submitted,

By 

Lee Cheng

Registration No: 40,949
RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W., Suite 501
Washington, DC 20036
(202) 955-3750
Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

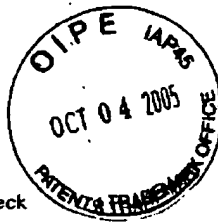
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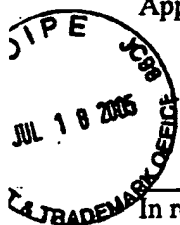
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Account No.	180013
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Page	23

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THE SAME

Examiner: K. Habte

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith on Form PTO-1449 or PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 or PTO/SB/08 be returned in accordance with MPEP §609.

- ☒ A copy of each listed document is being submitted to comply with the provisions of 37 CFR §§1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

Concise Explanation of Relevancy of the Document

(Fill out if no English translation, partial translation or English abstract is available)

- ☒ Any document having neither English translation nor English abstract relates to the subject matter of the above-identified application. English translation of the

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07/27/2005 LHMES 00000001 180013
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document is not readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted document (37 C.F.R. §1.98 and MPEP §609).

☒ This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311 or an action that otherwise closes prosecution in the application. **No fee is required** in view of the statement below (37 C.F.R. §1.97(c)).

- ☒ a. Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. No item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2). The Certification under 37 CFR §1.97(e)(2) is attached hereto.

- ☒ 2. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.

Dated: July 18, 2005

Respectfully submitted,

By 

David T. Nikardo

Registration No.: 22,663

Lee Cheng

Registration No.: 40,949

RADER, FISHMAN & GRAUER PLLC

1233 20th Street, N.W.

Suite 501

Washington, DC 20036

(202) 955-3750

Attorneys for Applicant